

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
S/S Perry Ridge Court, 100 ft.
E of c/l White Marsh Road
3 Perry Ridge Court
14th Election District
6th Councilmanic District
Linda J. Kurgan
Petitioner

* BEFORE THE DEPUTY
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-489-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Linda J. Kurgan, for that property known as 3 Perry Ridge Court (also known as lot 2 of the Richter property) near the White Marsh section of Baltimore County. The Petitioners/property owner herein seeks a variance from Sections 504 (V.B.G.6 of the CMDP) and 301 of the Baltimore County Zoning Regulations (BCZR), to permit a 6 ft. rear yard setback in lieu of 11.25 ft., for an open deck, and to amend the last approved FDP. The property and relief sought are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and

ORDER RECEIVED FOR FILING

Date

By


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affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of July, 1996 that a variance from Sections 504 (V.B.G.6 of the CMDP) and 301 of the Baltimore County Zoning Regulations (BCZR), to permit a 6 ft. rear yard setback in lieu of 11.25 ft., for an open deck, and to amend the last approved FDP, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:mmm

ORDER RECORDED ON FILING
Date 7/8/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 5, 1996

Ms. Linda J. Kurgan
3 Perry Ridge Court
Baltimore, Maryland 21237

RE: Petition for Administrative Variance
Case No. 96-489-A
Property: 3 Perry Ridge Court

Dear Ms. Kurgan:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:mmm
encl.

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Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3 PERRY RIDGE CT.
96-489-A which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

504 (V.B.G.B. CMOP) and 301 to permit a 6 ft rear yard in lieu of 11.25 for an open deck and amend the last approved FDP.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See other side

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Address

Phone No

Signature

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No.

Name

City

State

Zipcode

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

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Printed with Soybean Ink
on Recycled Paper

ITEM #: 484

REVIEWED BY: MJK

DATE: 6/4/96

ESTIMATED POSTING DATE: 2/15/96

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3 PERRY RIDGE CT.
address
BALTIMORE MD 21237
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

DUE TO THE ODD CONFIGURATION OF THE
PROPERTY LINES WITH THE PLACEMENT OF
THE HOUSE A VARIANCE IS NEEDED FOR
STANDARE TYPE DECK

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Linda J. Kurgan
(signature)
LINDA J. KURGAN
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of June, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Linda J. Kurgan

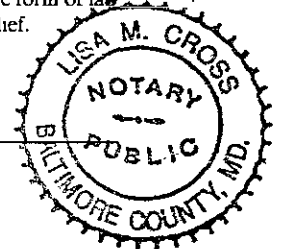
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/4/96
date

Lisa M. Cross
NOTARY PUBLIC

My Commission Expires: 9/1/96



484

96-489-A

Beginning on the south side of Perry Ridge Court,
50 feet wide, at the distance of 100 feet east
of the centerline of White Marsh Road. Being Lot
2 of the "Richter Property" as recorded in Plat Book
61, Folio 137. Also known as 3 Perry Ridge Court
Containing .124 acres in the 14th Election District.

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CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 96-489-12

Towson, Maryland

District 14th Date of Posting 6/15/96

Posted for: Various

Petitioner: Linda L. Murray

Location of property: 3 Perry Ridge Ct.

Location of Signs: Along roadway on property being sought

Remarks: _____

Posted by M. Murray Date of return: 6/21/96

Signature

Number of Signs: 1

MICROFILMED



BALTIMORE COUNTY, MARYLAND
OFFICE OF THE COMPTROLLER
REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 96-481-A

DATE 6-4-96 ACCOUNT 01-615

Item 484
131-2257K AMOUNT \$ 85.00

RECEIVED FROM: Kugan, Linda - 3 Perry Ridge Ct.

010-K25 Var - \$ 50.00
080 - 1 sign - \$ 35.00
\$ 85.00

FOR: _____

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RECORDED
IN COMPLIANCE WITH

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 14, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-489-A (Item 484)
3 Perry Ridge Court
S/s Perry Ridge Court, 100' E of c/l White Marsh Road
14th Election District - 6th Councilmanic
Legal Owner(s): Linda J. Kurgan

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before June 16, 1996. The closing date (July 1, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Linda J. Kurgan

RECEIVED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 28, 1996

Ms. Linda J. Kurgan
3 Perry Ridge Court
Baltimore, MD 21237

RE: Item No.: 484
Case No.: 96-489-A
Petitioner: Linda J. Kurgan

Dear Ms. Kurgan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 06/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 17, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 483, 484, 485, 486, 488 & 489.

21 1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



John Alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 21, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 24, 1996
Item Nos. 484, 485, 488, & 489

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:jrb

cc: File

ZONE14

MICROFILMED

JUN 28 1996

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM / Roslyn Eubanks
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

DATE: 6/14/96

SUBJECT: Zoning Advisory Committee
Meeting Date: Jun 17

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

483

484

485

486

487

488

489

RBS:sp

BRUCE2/DEPRM/TXTSBP

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: June 12, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 467, 471, 472, 473, 474, 480, 482, 484, 485, 488, and 489

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Hal Kassoff
Administrator

6-18-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 484 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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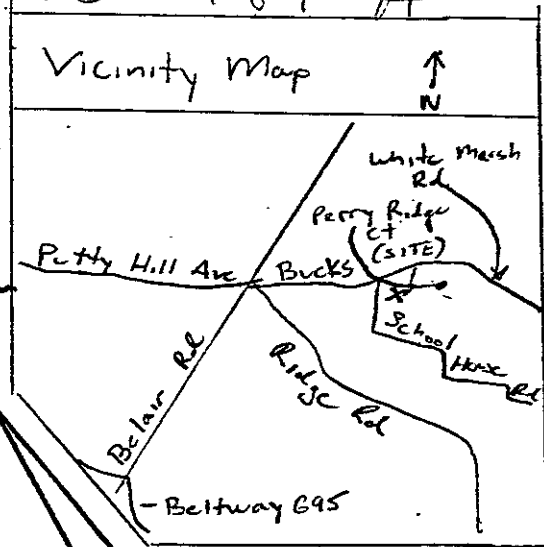
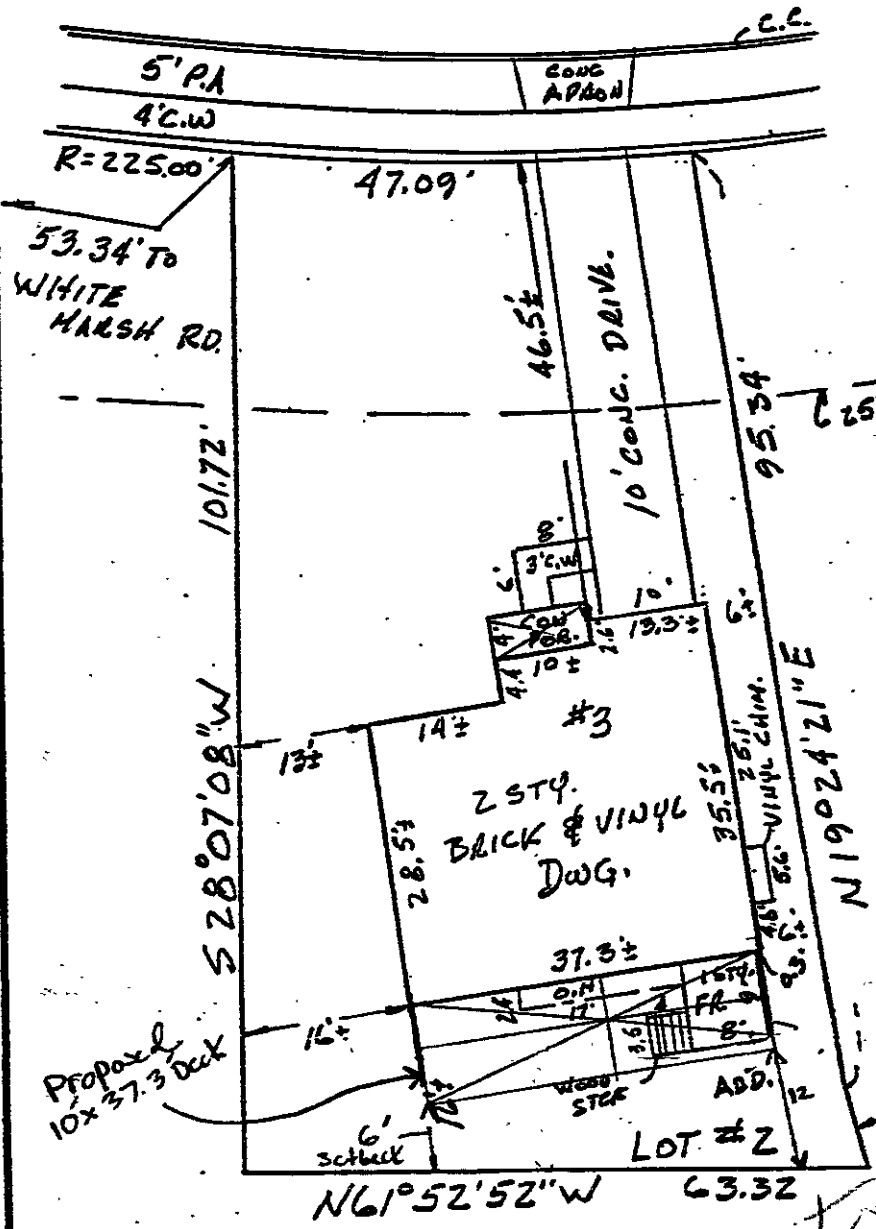
PERRY RIDGE COURT
50' R/W
30' HAC

* Plat To Accompany
Petition For Zoning
Variance

Owner: Linda T. Kurgan

see var. 93-25-A

96-489-A



Zoning DR3.5
Election District 14
Council District 6
Site area - 5419' ±
• 124 Ac

Not in Critical Area
or Floodplain

Lot is served by
public utilities



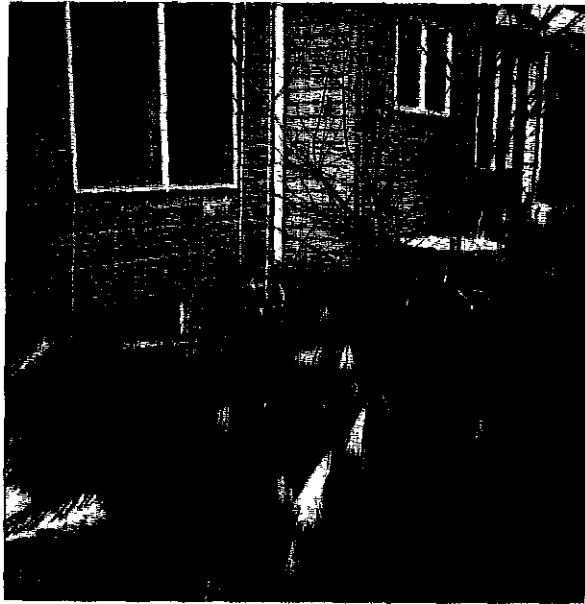
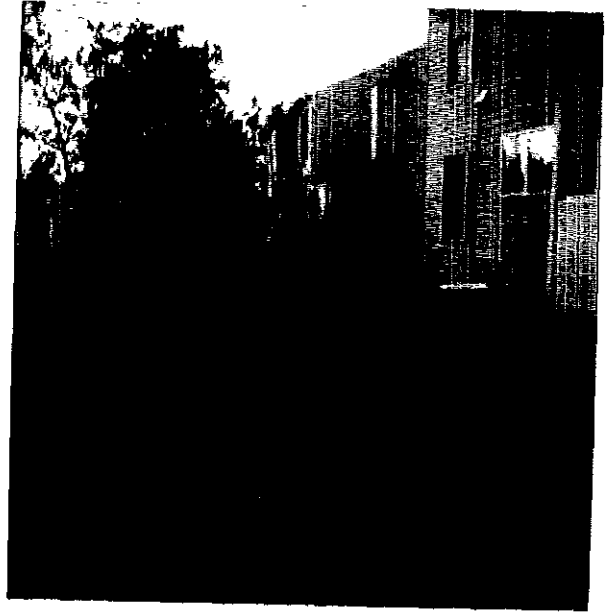
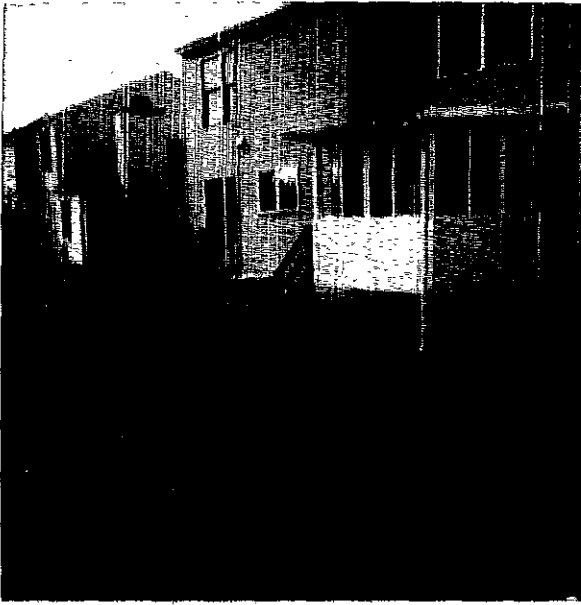
Robert E. Spellman

The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing; The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and The plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

DON LYNCH ASSOC., INC.
4907 HARFORD ROAD
BALTIMORE, MD. 21214

Scale: 1" = 20' Date: 3/26/96

96-489-A



MICROFILMED

Baltimore County Government
Department of Permits and Licenses

c: Daniel Crispino



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3610

September 1, 1995

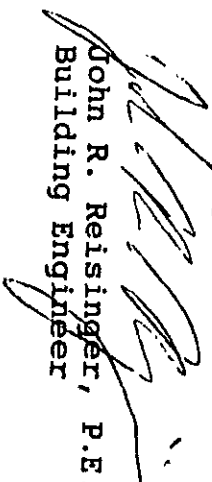
Mount Vista Golf Course LTD Partnership
11101 Mount Vista Rd
Baltimore, Md 21021

Re: Permit No. B188580

Gentlemen:

Based on information received from Zoning Review, permit No. B188580 is hereby suspended. All work being done on this project must stop until problems with the approvals are resolved. Please contact John Sullivan at 887-3391 for more information about what needs to be done.

Sincerely,


John R. Reisinger, P.E.
Building Engineer

PLUMES COUNTY
ZONING AND ZONING

96-489-A



SCALE

1" = 200'

LOCATION

SHEET

#489

DATE
OF
PHOTOGRAPHY

MICROFILMED
FULLERTON

N.E.

8-F

96

OREGON COUNTY PLANNING AND ZONING COMMISSION MAP

THE NEW YORK PUBLIC LIBRARY

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Wm. A. Hendrix

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DE

LOCATION

SEM

CONCRETE

THE
FACULTY
OF
THE
LIBRARY
OF
THE
UNIVERSITY
OF
TORONTO
ON
CANADA

001

96-489-A